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## NOTICE OF ALLOWANCE AND FEE(S) DUE

21171 7590 12/31/2009

STAAS & HALSEY LLP  
SUITE 700  
1201 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005

EXAMINER

KAU, STEVEN Y

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 12/31/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/587,976

08/03/2006

Yasuhiko Kishimoto

1391.1073

7110

TITLE OF INVENTION: APPARATUS FOR AND METHOD OF FORMING MULTICOLOR HALFTONE IMAGES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	03/31/2010

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

21171 7590 12/31/2009

**STAAS & HALSEY LLP**  
SUITE 700  
1201 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/587,976 08/03/2006 Yasuhiko Kishimoto 1391.1073 7110

TITLE OF INVENTION: APPARATUS FOR AND METHOD OF FORMING MULTICOLOR HALFTONE IMAGES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional NO \$1510 \$300 \$0 \$1810 03/31/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
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KAU, STEVEN Y 2625 358-003060

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_

3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee  
☐ Publication Fee (No small entity discount permitted)  
☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

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Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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EXAMINER

KAU, STEVEN Y

ART UNIT

PAPER NUMBER

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## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 670 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 670 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/587,976	KISHIMOTO, YASUHIKO	
	<b>Examiner</b>	<b>Art Unit</b>	
	STEVEN KAU	2625	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/23/2009.
2. ☒ The allowed claim(s) is/are 1-12.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

/Steven Kau/  
Examiner, Art Unit 2625

/King Y. Poon/  
Supervisory Patent Examiner, Art Unit 2625

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. The following is an examiner's statement of reason for allowance.

The primary reasons for allowance for claims 1-12 are the inclusion of the limitations of the apparatus for and the method of forming multicolor halftone images including halftone plates of a plurality of colors for reproducing a colored image, wherein each halftone plate is tilted at a specified screen angle and has a relative screen angular difference of 15 degrees or 30 degrees in relation to a next neighboring screen angle. Claims 1 and 7 are the independent claims, and claims 2-6 and 8-12 are the dependent claims to claims 1 and 7, respectively.

Claim 1 is directed to an apparatus for forming multicolor halftone images including halftone plates of a plurality of colors for reproducing a colored image, wherein each halftone plate is tilted at a specified screen angle and has a relative screen angular difference of 15 degrees or 30 degrees in relation to a next neighboring screen angle. Claim limitations, recite, "a basic halftone plate having halftone dots disposed at a predetermined pitch on the basis of a predetermined screen angle; one selected halftone plate that is selected from the halftone plates other than the basic halftone plate, and that has a screen angle difference of 30 degrees or 45 degrees in relation to the basic halftone plate, wherein a right triangle is defined for each of the remaining halftone plates such that its vertical angle is equal to a screen angle difference of 30 degrees or 45 degrees which the selected halftone plate has in relation to the basic

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halftone plate, and its two sides forming the vertical angle corresponds to screen angle directions of the two halftone plates, and on the basis of the right triangle, respective halftone dots of the two halftone plates are disposed at a pitch equal to the predetermined pitch along the screen angle directions of the two halftone plates corresponding to the two sides forming the vertical angle, the right triangle having a vertical angle of 30 degrees and a ratio of its three sides  $\sqrt{3}:1:2$  or a vertical angle of 45 degrees and a ratio of its three sides  $1:1:\sqrt{2}$  wherein the halftone dots are disposed on the basis of the ratio of the three sides of the right triangle represented by numerical values including  $\sqrt{3}$  or  $\sqrt{2}$ , which is an irrational number, the numerical values being approximated by integral values which approximate values obtained by multiplying the numerical values by an integer".

Prior art Urabe et al '835 teaches "an apparatus for forming multicolor halftone images including halftone plates of a plurality of colors for reproducing a colored image, wherein each halftone plate is tilted at a specified screen angle and has a relative screen angular difference of 15 degrees or 30 degrees in relation to a next neighboring screen angle, the apparatus comprising: a basic halftone plate having halftone dots disposed at a predetermined pitch on the basis of a predetermined screen angle; and wherein the halftone dots are disposed on the basis of the ratio of the three sides of the right triangle represented by numerical values including  $\sqrt{3}$  or  $\sqrt{2}$ , which is an irrational number, the numerical values being approximated by integral values which approximate values obtained by multiplying the numerical values by an integer".

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Urabe does not disclose that “one selected halftone plate that is selected from the halftone plates other than the basic halftone plate, and that has a screen angle difference of 30 degrees or 45 degrees in relation to the basic halftone plate, wherein a right triangle is defined for each of the remaining halftone plates such that its vertical angle is equal to a screen angle difference of 30 degrees or 45 degrees which the selected halftone plate has in relation to the basic halftone plate, and its two sides forming the vertical angle corresponds to screen angle directions of the two halftone plates, and on the basis of the right triangle, respective halftone dots of the two halftone plates are disposed at a pitch equal to the predetermined pitch along the screen angle directions of the two halftone plates corresponding to the two sides forming the vertical angle, the right triangle having a vertical angle of 30 degrees and a ratio of its three sides  $\sqrt{3}:1:2$  or a vertical angle of 45 degrees and a ratio of its three sides  $1:1:\sqrt{2}$ ”.

Prior arts, Ikuta '682 teaches “the remaining halftone plates, wherein a right triangle is defined for each of the remaining halftone plates such that its vertical angle is equal to a screen angle difference of 30 degrees or 45 degrees which the halftone plate has in relation to another halftone plate, and its two sides forming the vertical angle corresponds to screen angle directions of the two halftone plates, and on the basis of the right triangle, respective halftone dots of the two halftone plates are disposed at a pitch equal to the predetermined pitch along the screen angle directions of the two halftone plates corresponding to the two sides forming the vertical angle”.

However, Urabe et al '835 alone or combining with the prior arts, i.e. Ikuta '682, and Delabastita et al '807, do not teach the claim limitations of Claim 1, “one selected

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halftone plate that is selected from the halftone plates other than the basic halftone plate, and that has a screen angle difference of 30 degrees or 45 degrees in relation to the basic halftone plate, wherein a right triangle is defined for each of the remaining halftone plates such that its vertical angle is equal to a screen angle difference of 30 degrees or 45 degrees which the selected halftone plate has in relation to the basic halftone plate, and its two sides forming the vertical angle corresponds to screen angle directions of the two halftone plates, and on the basis of the right triangle, respective halftone dots of the two halftone plates are disposed at a pitch equal to the predetermined pitch along the screen angle directions of the two halftone plates corresponding to the two sides forming the vertical angle, the right triangle having a vertical angle of 30 degrees and a ratio of its three sides  $\sqrt{3}:1:2$  or a vertical angle of 45 degrees and a ratio of its three sides  $1:1:\sqrt{2}$ .

In addition, applicant's arguments, pages 8-10, Remarks, 10/23/2009, that the cited prior arts do not teach the claim limitations recited above are persuasive, and the examiner does not find any prior arts teach or suggest the above claim limitations. Thus, the invention appears as a unique and non-obviousness invention.

As stated above, Claim 7 is directed to a method of forming multicolor halftone images including halftone plates of a plurality of colors for reproducing a colored image, wherein each halftone plate is tilted at a specified screen angle and has a relative screen angular difference of 15 degrees or 30 degrees in relation to a next neighboring screen angle which substantially corresponds to operation of the device in claim 1, and with method steps directly corresponding to the function of device elements in claim 1.



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Because of these reasons, the independent claims 1 and 7 are allowable. Claims 2-6, and 8-12 are also allowable because of their dependence to claims 1 and 7, respectively.

***Reference Prior Arts***

2. The closest prior arts in the record are Urabe et al (US 5,270,835), Ikuta (US 5,455,682), and Delabastita et al (US 5,766,807).

***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Kau whose telephone number is 571-270-1120 and fax number is 571-270-2120. The examiner can normally be reached on M-F, 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on 571-272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Steven Kau/  
Examiner, Art Unit 2625  
December 29, 2009

/King Y. Poon/  
Supervisory Patent Examiner, Art Unit 2625

Application/Control Number: 10/587,976  
Art Unit: 2625

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